

PATENT  
1340-1-016N

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Rodger Novak et al.  
SERIAL NO. : 09/305,984 EXAMINER: LEE, L.  
FILED : May 5, 1999 ART UNIT: 1645  
FOR : NOVEL ANTIBIOTICS AND METHODS OF USE THEREOF

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the ASSISTANT COMMISSIONER OF PATENTS, WASHINGTON, DC 20231 on January 10, 2000.

Michael D. Davis, Reg. No. 39,161  
(Name of Registered Representative)

Jonell L. Lantieri 1/10/00  
(Signature and Date)

STATEMENT IN SUPPORT OF THE FILING/SUBMISSION OF A  
NUCLEOTIDE/AMINO ACID SEQUENCE LISTING IN  
ACCORDANCE WITH 37 CFR §§1.821 - 1.825

ASSISTANT COMMISSIONER OF PATENTS  
WASHINGTON, DC 20231

Dear Sir:

Michael D. Davis, attorney of record, hereby states as follows:

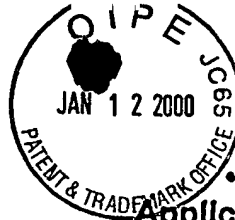
1. I hereby state that the content of the paper and computer readable copies of the Sequence Listing submitted in accordance with 37 CFR §1.821(c) and (e), respectively, are the same.
2. I hereby state that the submission, filed in accordance with 37 CFR §1.821(g) herein does not include new matter.
3. I hereby declare that all statements made herein of the undersigned's own knowledge are true and that all statements made on information and belief are believed to be true;

and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18 of the U.S. Code, Section 1001 and that such willful false statements may jeopardize the validity of this Application or any patent issuing thereon.

DATE: January 10, 2000

Michael D. Davis  
Michael D. Davis

COPY



Application No.: 09/305 981

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s)

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- ☒ An ~~initial~~ or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

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